

07/10/01  
U.S. PTO

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07-11-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 112025-0476

First Inventor Stephen C. Hilla et al.

Title A TECHNIQUE FOR PROCESS LOAD BALANCING IN A  
MULTI-PROCESSOR ENVIRONMENT

Express Mail Label No. EL736447823US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 17]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C.113) [Total Sheets 3 ]
5. Oath or Declaration [Total Pages 2 ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 C.F.R. §3.73(b) Statement  Power of (when there is an assignee) Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No: \_\_\_\_\_ /

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label

(Insert C)

or  Correspondence address below

(Insert C)

Name	Charles J. Barbas				
	24267				
	PATENT TRADEMARK OFFICE				
Address	Cesari and McKenna 88 Black Falcon Avenue				
City	Boston	State	MA	Zip Code	02210
Country	U. S. A.	Telephone	(617) 951-2500		Fax (617) 951-3927

Name (Print/Type)	Charles J. Barbas	Registration No. (Attorney/Agent)	32,959
Signature		Date	July 10, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

**TOTAL AMOUNT OF PAYMENT** **(\$)** **830**

## Complete If Known

Application Number	Not yet assigned
Filing Date	July 10, 2001
First Named Inventor	Stephen C. Hilla et al.
Examiner Name	Not yet assigned
Group / Art Unit	Not yet assigned
Attorney Docket No.	112025-0476

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit

Account  
Number

03-1237

Deposit  
Account  
Name

Cesari and McKenna, LLP

Charge Any Additional Fee  Charge the Issue Fee Set in  
Required Under 37 C.F.R. §§1.18 at the Mailing of  
37 C.F.R. §§1.16 and 1.17 the Notice of Allowance

2.  Payment Enclosed:

Check  Money  Other  
Order

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	35	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)				710	

### 2. EXTRA CLAIM FEES

		Extra Claims	Fee from Claims below	Fee Paid
Total Claims	17	- 20**	= 0 × 18 = 0	
Independent Claims	4	- 3**	= 1 × 80 = 80	
Multiple Dependent				0

\*\*or number previously paid, if greater. For Reissues, see below

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				80

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
105	130	205	65 Fee Surcharge - late filing fee or oath
127	50	227	25 Surcharge - late provisional filing fee or cover sheet
139	130	139	130 Non-English Specification
147	2,520	147	2,520 For filing a request for reexamination
112	920	112	920* Requesting publication of SIR prior to Examiner action
113	1,840	113	1,840*Requesting publication of SIR after Examiner action
115	110	215	55 Extension for reply within first month
116	390	216	195 Extension for reply within second month
117	890	217	445 Extension for reply within third month
118	1,390	218	695 Extension for reply within fourth month
128	1,890	128	945 Extension for reply within fifth month
119	310	219	155 Notice of Appeal
120	310	220	155 Filing a brief in support of an appeal
121	270	221	135 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive - unavoidable
141	1,240	241	620 Petition to revive - unintentional
142	1,240	242	620 Utility Issue fee (or reissue)
143	440	243	220 Design Issue fee
144	600	244	300 Plant Issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Petitions related to provisional applications
126	240	126	240 Submission of Information Disclosure Stmt
581	40	581	40 Recording each patent assignment per property (times number of properties)
146	710	246	355 Filing a submission after final rejection (37 CFR 1.129(a))
149	710	249	355 For each additional invention to be examined (37 CFR 1.129(b))
Other (specify)			
Other fee (specify)			
SUBTOTAL (3) (\$)			40

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Typed or  
Printed Name

Charles J. Barbas

Signature

Complete (if applicable)

Reg. Number

32,959

Deposit Account User ID

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re The Application of: )  
Stephen C. Hilla et al. )  
 )  
Serial No.: Not yet assigned )      Examiner: Not yet assigned  
 )  
Filed: July 10, 2001 )      Art Unit: Not yet assigned  
 )  
For: A TECHNIQUE FOR PROCESS )  
LOAD BALANCING IN A MULTI- )  
PROCESSOR ENVIRONMENT )  
 )  
 )  
Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
July 10, 2001

**EXPRESS-MAIL DEPOSIT**

“Express Mail” Mailing-Label Number: EL736447823US

The following papers are being deposited with the United States Postal Service  
“Express Mail Post Office to Addressee” service pursuant to 37 C.F.R. §1.10:

Patent Application ( 17 pages including 17 claims )  
 Declaration for Patent Application       Fee Transmittal Letter  
 Utility Patent Application Transmittal       Assignment With Recordation Form  
Letter      Cover Sheet  
 Formal Drawing ( 3 sheets )       Check in the amount of \$830.00  
 PTO/SB/35

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Stephen C. Hilla et al.
Title	A TECHNIQUE FOR PROCESS LOAD BALANCING IN A MULTI-PROCESSOR ENVIRONMENT
Atty Docket Number	112025-0476

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 10, 2001

Date



Signature

Charles J. Barbas, 32,959

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement. This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.